THE AHMEDABAD AND SURAT MUNICIPAL ADMINISTRATION VALIDATING ACT, 1946.

CONTENTS.

PREAMBLE.

SECTIONS.

1. Short title and commencement.
2. Validation of acts of persons appointed under section 219 of Bom. XVIII of 1925.
3. Act to apply to pending suits and proceedings.
4. Repeal of Bom. III of 1946.

SCHEDULE.

BOMBAY ACT No. XXIII OF 1946.[1]

[THE AHMEDABAD AND SURAT MUNICIPAL ADMINISTRATION VALIDATING ACT, 1946.]

[*1st October 1946.*]

An Act to validate the acts of certain persons appointed by the Commissioner, Northern Division, to exercise the powers and perform the duties of the Borough Municipalities of Ahmedabad and Surat.

Bom. XVIII of 1925.

WHEREAS the Municipalities of Ahmedabad and Surat were superseded by the Provincial Government by orders made under sub-section (*1*) of section 219 of the Bombay Municipal Boroughs Act, 1925;

AND WHEREAS the Commissioner, Northern Division, from time to time appointed certain persons to exercise and perform all powers and duties of the respective Municipalities during the period of their supersession;

AND WHEREAS the orders made by the Provincial Government for the supersession of the said Municipalities and the appointments made by the Commissioner of the said persons were ineffectual and invalid;

AND WHEREAS various acts have been done by the said persons in the purported exercise and performance of the said powers and duties during the period from the date of the said orders of supersession till the 8th February 1946 (both inclusive);

AND WHEREAS it was necessary and expedient to validate the said acts done by the said persons;

Bom. III of 1946.

AND WHEREAS the Ahmedabad and Surat Municipal Administration Validating Act, 1946, was enacted for the said purpose; but the names of certain persons, appointed by the Commissioner to exercise and perform the powers and duties of the Ahmedabad and Surat Municipalities during the period of their supersession, were not specified in column 3 of the Schedule to the said Act;

26 Geo. 5, Ch. 2.

AND WHEREAS in view of the provisions of sub-section (*4*) of section 93 of the Government of India Act, 1935, it is necessary to re-enact the said Act with certain modifications; It is hereby enacted as follows:—

Short title and commencement.

1. (*1*) This Act may be called the Ahmedabad and Surat Municipal Administration Validating Act, 1946.

(*2*) It shall come into force at once.

Validation of acts of persons appointed under section 219 of Bom. XVIII of 1925.

Bom. XVIII of 1925.

2. Notwithstanding that the orders specified in column 1 of the Schedule made by the Provincial Government under sub-section (*1*) of section 219 of the Bombay Municipal Boroughs Act, 1925 (hereinafter referred to as the said Act), for the supersession of the Municipalities specified in column 2 of the said Schedule and the appointments of the persons specified in column 3 thereof made by the Commissioner, Northern Division, from time to time under clause (*b*) of sub-section (*2*) of section 219 of the said Act are ineffectual and invalid, all powers and duties of the respective Municipalities exercised and performed by the said persons during the period from the date of the said orders of supersession till the 8th February 1946 (both inclusive) shall be deemed to be and always to have been validly exercised and performed by the said persons; and no acts done by the said persons during

[1] For Statement of Objects and Reasons, *see Bombay Government Gazette*, 1946, Pt. V, p. 62; for Proceedings in Assembly, *see* Bombay Legislative Assembly Debates, 1946, Vol. IX; and for Proceedings in Council, *see* Bombay Legislative Council Debates, 1946, Vol. X.

the said period shall be deemed to be invalid or called in question on the ground merely that the said orders of supersession and appointments were ineffectual and invalid; and the said persons are now hereby indemnified and discharged from liability in respect of such acts.

Act to apply to pending suits and proceedings.

3. The provisions of this Act shall apply notwithstanding the pendency of any suit or other proceeding in any Court of Law, either in a Court of first instance or in a Court of appeal, at the time when the Act comes into force.

Repeal of Bom. III 1946.

4. The Ahmedabad and Surat Municipal Administration Validating Act, 1946, Bom. III of 1946. is hereby repealed.

SCHEDULE.

Orders.	Municipalities.	Persons.
1	2	3
Government Order, General Department, No. 1707, dated the 3rd May 1944.	Surat Municipality	(*a*) Collector of Surat, Sole Administrator. (*b*) Committee of Management consisting of— 1. Rao Bahadur N. M. Jhaveri (Chairman). 2. Mr. Chhotubhai Gulabdas Vakil. 3. Mr. Kanchanlal Manchharam Khandwala. 4. Mr. Chandulal Maganlal Kapadia. 5. Mr. Jekisondas Jamnadas Rana. 6. Mr. Ratilal Shambhulal Reshamwala. 7. Mr. Mohamadbhai Esufali Badri. 8. Mr. Umarmiya Zenumia Kagzi. 9. Shifa-ul-Mulk Hakim Meer, Sarfaraz Hussain, Meer Yawar Hussain. 10. Mr. Gulam Rasul Ahmed Shaikh. 11. Haji Mahmadbhai Abdullabhai Nariclwala. 12. Mr. Abdul Kadar Mahmad Shaikh. 13. Mr. M. C. Benson. 14. Mr. Mithabhai Palji. 15. Sardar Sheriar B. Modi.
Government Order, General Department, No. 1825, dated the 3rd May 1944.	Ahmedabad Municipality.	(*a*) Diwan Bahadur M. S. Moulvi, Sole Administrator. (*b*) Committee of Management consisting of— 1. Diwan Bahadur M. S. Moulvi (Chairman). 2. Sir Mahbubmiya I. Kadri, Kt., O.B.E 3. Mr. Ahmedmia S. Shaikh. 4. Mr. Abdulla M. Yamani. 5. Mr. Mahmod Habib A. Valiullah. 6. Mr. Abdul Rehmankhan Risaldar. 7. Mr. Doulatram U. Shah. 8. Diwan Bahadur Ratilal J. Lakhia. 9. Rao Saheb Manoklal Chunilal Pate. 10. Mr. Champaklal C. Bhatt. 11. Mr. Karsondas M. Leuva. 12. Khan Bahadur Hormasji Pestonji Chahewala, O.B.E. (*c*) Committee of Management consisting of— 1. Diwan Bahadur M. S. Moulvi (Chairman). 2. Sir Mahbubmiya I. Kadri, Kt., O.B.E. 3. Mr. Ahmedmia S. Shaikh. 4. Mr. Abdulla M. Yamani. 5. Mr. Mahmod Habib A. Valiullah. 6. Mr. Abdul Rehmankhan Risaldar. 7. Mr. Doulatram U. Shah. 8. Diwan Bahadur Ratilal J. Lakhia. 9. Rao Saheb Nathalal Nanalal Dave. 10. Mr. Champaklal C. Bhatt. 11. Mr. Karsondas M. Leuva. 12. Khan Bahadur Hormasji Pestonji Chahewala, O.B.E.